

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 15-7156

September Term, 2015

1:15-cv-01844-TSC

Filed On: March 15, 2016

In the Matter of: Stephen Thomas Yelverton,

Stephen Thomas Yelverton,

Appellant

BEFORE: Tatel, Brown, and Griffith, Circuit Judges

ORDER

Upon consideration of the motion for leave to proceed on appeal in forma pauperis, it is

ORDERED that the motion be denied. The district court correctly determined that the appeal is not taken in good faith. See 28 U.S.C. § 1915(a)(3). “In the absence of some evident improper motive, the applicant’s good faith is established by the presentation of any issue that is not plainly frivolous.” Wooten v. Dist. of Columbia Metro. Police Dep’t, 129 F.3d 206, 208 (D.C. Cir. 1997) (quoting Ellis v. United States, 356 U.S. 674 (1958)). Because appellant has failed to present any issue that has an arguable basis in law or fact, this appeal is frivolous. See Neitzke v. Williams, 490 U.S. 319, 325 (1989). It is

FURTHER ORDERED that appellant pay the full appellate filing and docketing fee of \$505 to the district court within thirty days of the date of this order or this appeal will be dismissed. See Wooten, 129 F.3d at 208 (“If he is foolish enough to pay [the fee] to have us say essentially what we have already said about his case, his appeal may proceed.”).

The Clerk is directed to send a copy of this order to appellant both by certified mail, return receipt requested, and by first class mail.

Per Curiam